

REMARKS

Applicants have carefully reviewed this Application in light of the Office Action mailed August 3, 2005. Claims 1-40 are pending in this Application. Claims 1-40 stand rejected under 35 U.S.C. §103(a). Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

Claims 1-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,821,910 issued to Raymond A. Adomaitis et al. ("*Adomaitis*") in view of U.S. Patent No. 6,820,570 issued to Olli Kilpela et al. ("*Kilpela*").

A. *Adomaitis* and *Kilpela*, either alone or in combination, fail to disclose, teach or suggest all of the limitations of independent Claims 1, 18 and 35.

Adomaitis discloses processes used to deposit thin films of materials. A multizone showerhead has multiple segments, each of which has a peripheral wall 24 to define its shape. (Col. 8, Lines 51-54). Each segment includes at least one gas inlet 30 and at least one gas outlet 32 for delivering gas to the cavity 28. (Col. 8, Lines 57-60). As illustrated in Figures 3A and 5, gas inlet 30 is parallel to peripheral wall 24.

Kilpela discloses an apparatus for producing thin films on the surface of a substrate by subjecting the substrate to alternately repeated surface reactions of vapor-phase reactants.

Claim 1 recites a method comprising "flowing the gas through a diffuser plate adjacent to the expansion volume and the reaction chamber, the diffuser plate including a protrusion located opposite the gas inlet."

Claim 18 recites an apparatus comprising "a protrusion located adjacent to the diffuser plate and opposite the gas inlet."

Claim 35 recites an apparatus comprising "a diffuser plate located adjacent the expansion volume and the reaction chamber, the diffuser plate including a bevel located opposite the gas inlet."

Applicants respectfully submit that the cited references fail to disclose every element of Applicants' invention as amended. Further, there is no motivation, teaching, or suggestion

to combine *Adomaitis* and *Kilpela*. *Adomaitis* and *Kilpela*, alone or in combination, fail to teach at least “flowing the gas through a diffuser plate adjacent to the expansion volume and the reaction chamber, the diffuser plate including a protrusion located opposite the gas inlet,” as recited by Claim 1. Additionally, *Adomaitis* or *Kilpela* fail to teach an apparatus for fabricating a conformal thin film on a substrate including “a protrusion located adjacent to the diffuser plate and opposite the gas inlet,” as recited by Claim 18. Further, *Adomaitis* or *Kilpela* fail to teach or suggest an apparatus for fabricating a conformal thin film on a substrate comprising “a diffuser plate located adjacent the expansion volume and the reaction chamber, the diffuser plate including a bevel located opposite the gas inlet,” as recited by Claim 35. The cited references, therefore, fail to disclose the recited limitations and cannot render obvious Claims 1, 18 and 35.

Given that Claims 2-17 depend from Claim 1, Claims 19-34 depend from Claim 18, and Claims 36-40 depend from Claim 35. Applicants respectfully submit that Claims 2-17, 19-34 and 36-40 are allowable. As such, Applicants respectfully request that the Examiner allow Claims 1-40.

B. The Examiner's rejections of Claims 2-17 and 19-40 are improper because the Examiner failed to cite *Adomaitis* and *Kilpela* with sufficient specificity under 35 U.S.C. § 132 to allow Applicants to adequately respond to the rejections.

The Examiner's rejection of Claims 1-40 under 35 U.S.C. § 103(a) appears to address only Claim 1, or perhaps independent Claims 1 and 18. In other words, the Examiner did not address independent Claim 35 or any of dependent Claims 2-17, 19-34, or 36-40 in his rejection of Claims 1-40. (Office Action, page 2).

According to 35 U.S.C. § 132, the Patent Office must notify the applicant of the reasons for rejecting each claim and provide such information and references as may be useful in judging the propriety of continuing the prosecution.¹ Applicants submit that the Examiner's failure to address independent Claim 1 and dependent Claims 2-17, 19-34, and 36-40 violates 35 U.S.C. § 132. *See also* M.P.E.P. § 706.02(i). Therefore, Applicants

¹ In pertinent part, 35 U.S.C. § 132 recites that “[w]henver, on examination, any claim for a patent is rejected, or any objection or requirement made, the Director shall notify the applicant thereof, stating the reasons for such rejection, or objection or requirement, together with such information and references as may be useful in judging of the propriety of continuing the prosecution of his application.”

respectfully request the Examiner to either (a) withdraw his rejections of independent Claim 35 and dependent Claims 2-17, 19-34, and 36-40, or (b) identify with reasonably specificity the portions of *Adomaitis* or *Kilpela* which suggest the limitations of each of independent Claim 1 and dependent Claims 2-17, 19-34, and 36-40 such that Applicants may adequately respond to the rejections.

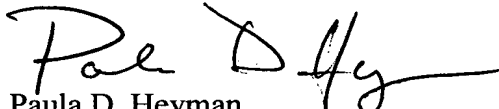
CONCLUSION

Applicants appreciate the Examiner's careful review of the application. Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. For the foregoing reasons, Applicants respectfully request reconsideration of Claims 1-40.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2581.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicants


Paula D. Heyman
Reg. No. 48,363

Date: Nov. 3, 2005

SEND CORRESPONDENCE TO:

BAKER BOTTS L.L.P.

CUSTOMER ACCOUNT NO. **31625**

512.322.2581

512.322.8383 (fax)